

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**JOHN AND JANE DOE NO. 1,  
et al.,**

**Plaintiffs,**

**vs.**

**BETHEL LOCAL SCHOOL  
DISTRICT BOARD OF  
EDUCATION, et al.,**

**Defendants.**

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**CASE NO. 3:22-cv-00337**

**JUDGE MICHAEL J. NEWMAN**

**PLAINTIFFS' AMENDED MOTION FOR SANCTIONS  
REGARDING DEFENDANTS' ATTORNEYS LYNNETTE  
DINKLER AND JOHN A. PODGURSKI**

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Plaintiffs John and Jane Doe No. 1; Child No. 1A, a minor, by and through her legal guardians John and Jane Doe No. 1; John and Jane Doe No. 2; John Doe No. 3; Child No. 3B, a minor, by and through her legal guardian John Doe No. 3; Child No. 3C, a minor, by and through his legal guardian John Doe No. 3; Jane Doe No. 4; Child No. 4D, a minor, by and through his legal guardian Jane Doe No. 4; Jane Doe No. 5; Child No. 5E, a minor, by and through his legal guardian Jane Doe No. 5; Jane Doe No. 6; Jane Doe No. 7; Child No. 7F, a minor, by and through his legal guardian Jane Doe No. 7; John and Jane Doe No. 8; and John Doe No. 9 ("Plaintiffs"), pursuant to Fed. R. Civ. P. ("Rule") 11, hereby move this Court to impose sanctions and for other and further relief as the Court deems just and proper upon counsel for

Bethel Local School District Board of Education, Lydda Mansfield, Lori Sebastian, Natalie Donahue, Danny Elam, Jacob King, and Michael Crispin (the “Defendants”), Lynnette Dinkler (“Dinkler”) and John A. Podgurski (“Podgurski.”) and their respective law firms, Dinkler Law Office LLC and Law Offices of John A. Podgurski, for their submission of false or misleading declarations in connection with a pending motion in limine (Doc. 48).

In support of this motion, Plaintiffs state:

Pursuant to Rule 11(c)(2), Plaintiffs served the original motion upon Defendants via email on February 17, 2023 and this amended motion upon Defendants via email on February 27, 2023 at least 21 days prior to its being filed or a shorter period set by the Court, but, by the time of this filing, Defendants have not appropriately corrected their improper actions.

On February 7, 2023, Dinkler and Podgurski caused to be filed a declaration of attorney Alvin E. Mathews (Doc. 48-3) in support of Defendants’ motion in limine, in which Defendants sought to strike a declaration filed by Plaintiffs. Additionally, on February 22, 2023, Dinkler and Podgurski caused to be filed a Reply in support of Defendants’ motion in limine (Doc. 60) and a second declaration of Alvin E. Mathews (Doc. 60-4). As shown in Plaintiffs’ memorandum in support of this motion, both of the declarations of Alvin E. Mathews contained false or misleading statements of material fact regarding matters within Dinkler and Podgurski’s personal knowledge, and Dinkler and

Podgurski have violated Rule 11(b). Alternatively, this Court has the inherent authority to sanction Dinkler and Podgurski because the false or misleading statements were made in bad faith.

For the reasons discussed in Plaintiffs' memorandum in support of this motion, Plaintiffs request that the Court enter an order: (1) specifically finding that Defendants' Counsel filed a declaration in which they knowingly and in bad faith made false or misleading statements of material fact; (2) requiring Defendants' Counsel to submit a copy of such finding to each of the named Defendants, and to distribute it to Alvin E. Mathews; (3) directing payment to the movant of part or all of the reasonable attorney's fees and other expenses directly resulting from the violation; (4) striking Mathews' First and Second Declaration and any portion of the Defendant's MIL and Reply that references allegations of misconduct by Plaintiffs' counsel from the record; and (5) imposing such other sanctions as this Court deems appropriate.

Dated: February 27, 2023

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 27th day of February, 2023, I served a copy of the foregoing by e-mail and by regular mail to the following:

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